

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JERAMY MICHEAL CORDELL HILL,

Plaintiff,

**DECISION & ORDER**  
18-CV-5251 (WFK)

v.

GODADDY COMPANY,

Defendant.  
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**WILLIAM F. KUNTZ, II, United States District Judge:**

Jeramy Micheal Cordell Hill (“Plaintiff”), currently incarcerated at the Anna M. Kross Center (“AMKC”) on Rikers Island, brings this *pro se* complaint pursuant to 42 U.S.C. § 1983 against GoDaddy Company (“Defendant”). On October 3, 2018, the Court granted Plaintiff’s request to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. For the reasons discussed below, the complaint is dismissed.

**STANDARD OF REVIEW**

Under 28 U.S.C. § 1915(e)(2)(B), a district court shall dismiss an *in forma pauperis* action where it is satisfied that the action “(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. § 1915(e)(2)(B). At the pleadings stage of the proceeding, the Court must assume the truth of “all well-pleaded, nonconclusory factual allegations” in the complaint. *Kiobel v. Royal Dutch Petroleum Co.*, 621 F.3d 111, 124 (2d Cir. 2010) (citing *Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009)). A complaint must plead sufficient facts to “state a claim to relief that is plausible on its face.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). Furthermore, it is axiomatic that *pro se* complaints are held to less stringent standards than pleadings drafted by attorneys and the Court is required to read the plaintiff’s *pro*

se complaint liberally and interpret it to raise the strongest arguments it suggests. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007); *Hughes v. Rowe*, 449 U.S. 5, 9 (1980); *Sealed Plaintiff v. Sealed Defendant #1*, 537 F.3d 185, 191-93 (2d Cir. 2008).

However, the Supreme Court has held that a district court has “the authority to ‘pierce the veil of the complaint’s factual allegations’” when considering an *in forma pauperis* complaint. *Denton v. Hernandez*, 504 U.S. 25, 32 (1992). The Court further stated that “a court is not bound . . . to accept without question the truth of the plaintiff’s allegations. We therefore reject the notion that a court must accept ‘as having an arguable basis in fact,’ all allegations that cannot be rebutted by judicially noticeable facts.” *Id.* (citation omitted).

## DISCUSSION

Plaintiff’s complaint is nonsensical and does not present any conceivable claim. For example, Plaintiff states that he brings this action against Defendant

for Milnillion Googloplex Googloplexs dollars, for creating the domain name “The Social Music Club” and nobody paying me, for creating the most intelligence thing ever in history. . . . I have waited six years for, “Go Daddy Company” too [sic] send a check out of respect, but no check has c[o]me. . . . I’m suing “Go Daddy Company” because the “The Social Music Club” is the most intelligence thing ever made, its smarter than an [sic] computer, plane, artificial intelligence, human beings, robotics, and etc. Just saying the name can increase intelligence. . . . Go Daddy have never send me a dollar, to this day. I’m on [R]ikers [I]sland, and my bail is 20 thousands dollars, and I should have been a millionaire five months ago.

Compl. at 6-7, ECF No. 1.<sup>1</sup>

Plaintiff’s claims are not plausible and can be dismissed as factually frivolous. “[A] finding of factual frivolousness is appropriate when the facts alleged rise to the level of the

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<sup>1</sup> The Court refers to the page numbers assigned by the court’s Electronic Case Filing (“ECF”) system.

irrational or the wholly incredible, whether or not there are judicially noticeable facts available to contradict them.” *Denton*, 504 U.S. at 25; *Khalil v. United States*, 17-CV-2652, 17-CV-5458, 2018 WL 443343, at \*3-4 (E.D.N.Y. Jan. 12, 2018) (Bianco, J.); *Bussie v. IRS Commissioner*, 16-CV-7006, 17-CV-157, 2017 WL 395113, at \*3 (E.D.N.Y. Jan. 27, 2017) (Brodie, J.). Since the complaint is devoid of any basis in law or fact, defects which cannot be cured by amendment, this frivolous action must be dismissed. *Cuoco v. Moritsugu*, 222 F.3d 99, 112 (2d Cir. 2000).

### CONCLUSION

Accordingly, Plaintiff’s complaint, filed *in forma pauperis*, is dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B). The Court certifies pursuant to 28 U.S.C. §1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

**SO ORDERED.**

s/William F. Kuntz, II

~~HON. WILLIAM F. KUNTZ, II~~  
UNITED STATES DISTRICT JUDGE

Dated: October 25, 2018  
Brooklyn, New York